

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**HB 2667 - SB 2550**

March 8, 2022

**SUMMARY OF BILL AS AMENDED (015223):** Gives authority to the Commissioner of the Department of Health (DOH), while there is a healthcare staffing crisis brought on by an infectious disease or catastrophic event, to allow healthcare professionals, who are licensed in another state, to temporarily engage in the practice of that professional's profession in Tennessee. Requires that the forms and process for this must be published on the DOH's health professional boards' website. States that a healthcare professional practicing pursuant to this legislation be subjected to all licensing fees, rules, and disciplinary actions.

Gives authority to the Commissioner to allow healthcare professionals to perform tasks outside of their professional scope of practice, so long as they are performed in certain facilities and there is a healthcare staffing crisis.

Gives authority to the Commissioner to allow students enrolled in a graduate school program or an undergraduate respiratory care program, who meet certain requirements, to perform supervised tasks in certain facilities.

Prohibits the Commissioner from extending a healthcare staffing crisis determination for more than 180 days, unless additional findings are provided to the governor and both house speakers.

Allows a graduate nurse to engage in the practice of practical nursing without a license for up to 120 days from the date of receipt of the first authorization to take the NCLEX-PN examination if certain criteria are met.

Allows the DOH, Department of Mental Health and Substance Abuse Services (DMHSAS), and the Department of Intellectual and Developmental Disabilities (DIDD) to promulgate rules to effectuate the purposes of this act.

**FISCAL IMPACT OF BILL AS AMENDED:**

**NOT SIGNIFICANT**

Assumptions for the bill as amended:

- Although the proposed legislation states that out-of-state healthcare professionals are subjected to licensing fees while practicing in Tennessee under this act, the number of professionals who will seek temporary employment in the state under the healthcare

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staffing crisis designation created in the legislation is assumed to be not significantly different from those professionals already seeking locum tenens licenses.

- Any cost associated with publishing required forms and processes on health professional boards' websites will be not significant.
- Pursuant to the proposed legislation, graduate nurses must be supervised at a ratio of 1:1 by a supervising individual. This provision will not result in any required changes in staffing levels.
- Any increase in disciplinary actions as a result of this legislation will not lead to any required increase in resources to health-related boards.
- Although the provisions of the proposed legislation will lead to increased staffing flexibility in certain situations, it is not expected to lead to a significant change in staffing levels in healthcare facilities when there is not a crisis brought on by an infectious disease or a catastrophic event.
- There will not be a significant fiscal impact to state or local government.

### **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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